

Remarks

Reconsideration of this Application and entry of the above amendments is respectfully requested.

Upon entry of the foregoing amendment, claims 1, 3, 5-7, 10, 12-19, 21, 23-30, 32, 34-41, 44-47 are pending in the application, with claims 1, 19, 29, 40, and 41 being the independent claims. Claims 45-47 are newly added. Support for these claims can be found throughout the Specification as filed. Claims 4, 8, 22, 42, and 43 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claims 1, 3, 7, 12, 19, 21, 23, 24, 29, 32, 40, 41, and 44 have been amended to more clearly point out and distinctly claim the subject matter of the present invention. Descriptive support for the amendment is found in the specification as filed. The amendment introduces no new matter and its entry is respectfully requested.

Claims 1, 3-7, 10, 12-16, 18, 19, 21-26, 28-30, 32, 34-37, and 39-44 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 971,578 to Walker (hereinafter “Walker”).

Claims 1, 3, 5-7, 10, 12, 19, 21, 23, 29, 30, 32, 34, and 40-43 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,419,501 to Pinto (hereinafter “Pinto”).

Claims 1, 3, 5-7, 10, 12, 19, 21, 23, 29, 30, 32, 34, and 40-43 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,532,388 to Batt, Jr. (hereinafter “Batt”).

Claims 1, 3, 5-7, 10, 12-14, 19, 21, 23-24, 28-30, 32, 34-35, and 40-43 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,465,885 to Trump (hereinafter “Trump”).

Claim 8 stands rejected under 35 U.S.C. §102(b) by “the above prior art references.”

Claims 17, 27, and 38 are rejected under 35 U.S.C. §103(a) as being unpatentable over “any of the above prior art references” in view of U.S. Patent Number 6,821,427 to Macpherson et. al. (hereinafter “Macpherson”).

Based on the above amendment and the following Remarks, Applicant respectfully requests that the Examiner enter the above amendment and reconsider all outstanding objections and rejections and that they be withdrawn.

I. Claims 1, 3-7, 10, 12-16, 18, 19, 21-26, 28-30, 32, 34-37, and 39-44 Are Not Anticipated by Walker

Claims 1, 3-7, 10, 12-16, 18, 19, 21-26, 28-30, 32, 34-37, and 39-44 stand rejected as anticipated by Walker. For the following reasons, Applicant respectfully requests that this rejection be withdrawn.

Claims 1 and 19 recite “two or more fluid treatment elements,” as well as “an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid.” Claim 29 recites “an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid.” Claims 40 and 41 recite “filtering and separating hydrocarbons from said water” and “filtering and separating hydrocarbons from said fluid.” Claims 42 and 43 have been cancelled. Applicant also respectfully disagrees with Examiner’s holding that the basket-shaped filters of Walker disclose or suggest a “cartridge.”

Walker does not disclose or suggest two or more fluid treatment elements, let alone an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid or filtering and separating hydrocarbons from fluid or water. Because Walker fails to disclose or suggest the claimed apparatus including two or more fluid treatment elements, an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid or filtering and separating hydrocarbons from fluid or water, claims 1, 19, 29, 40, and 41 are allowable over Walker. Claims 3-7, 10, 12-16, 18, 21-26, 28, 30, 32, 34-37, and 39, and 44 depend from claims 1, 19, 29, 40, and 41 and are allowable for at least these reasons. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 3-7, 10, 12-16, 18, 19, 21-26, 28-30, 32, 34-37, 39-41, and 44.

II. Claims 1, 3, 5-7, 10, 12, 19, 21, 23, 29, 30, 32, 34, and 40-43 Are Not Anticipated by Pinto

Claims 1, 3, 5-7, 10, 12, 19, 21, 23, 29, 30, 32, 34, and 40-43 stand rejected as anticipated by Pinto. For the following reasons, Applicant respectfully requests that this rejection be withdrawn.

Claims 1 and 19 recite “two or more fluid treatment elements,” as well as “an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid.” Claim 29 recites “an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid.” Claims 40 and 41 recite “filtering and separating hydrocarbons from said water” and “filtering and separating hydrocarbons from said fluid.” Claims 42 and 43 have been cancelled. Applicant also respectfully disagrees with Examiner’s holding that the basket filter of Pinto discloses or suggests a “filter cartridge.”

Pinto does not disclose or suggest two or more fluid treatment elements, let alone an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid or filtering and separating hydrocarbons from fluid or water. Because Pinto fails to disclose or suggest the claimed apparatus including two or more fluid treatment elements, an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid or filtering and separating hydrocarbons from fluid or water, claims 1, 19, 29, 40, and 41 are allowable over Pinto. Claims 3, 5-7, 10, 12, 21, 23, 29, 30, 32, and 34 depend from claims 1, 19, and 29 and are allowable for at least these reasons. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 3, 5-7, 10, 12, 19, 21, 23, 29, 30, 32, 34, 40, and 41.

III. Claims 1, 3, 5-7, 10, 12, 19, 21, 23, 29, 30, 32, 34, and 40-43 Are Not Anticipated by Batt

Claims 1, 3, 5-7, 10, 12, 19, 21, 23, 29, 30, 32, 34, and 40-43 stand rejected as anticipated by Batt. For the following reasons, Applicant respectfully requests that this rejection be withdrawn.

Claims 1 and 19 recite “two or more fluid treatment elements,” as well as “an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid.” Claim 29 recites “an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid.” Claims 40 and 41 recite “filtering and separating hydrocarbons from said water” and “filtering and separating hydrocarbons from said fluid.” Claims 42 and 43 have been cancelled.

Batt does not disclose or suggest two or more fluid treatment elements, let alone an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid or filtering and separating hydrocarbons from fluid or water. Because Batt fails to disclose or

suggest the claimed apparatus including two or more fluid treatment elements, an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid or filtering and separating hydrocarbons from fluid or water, claims 1, 19, 29, 40, and 41 are allowable over Batt. Claims 3, 5-7, 10, 12, 21, 23, 30, 32, and 34 depend from claims 1, 19, and 29 and are allowable for at least these reasons. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 3, 5-7, 10, 12, 19, 21, 23, 29, 30, 32, 34, 40, and 41.

IV. Claims 1, 3, 5-7, 10, 12-14, 19, 21, 23-24, 28-30, 32, 34, 35, and 40-43 Are Not Anticipated by Trump

Claims 1, 3, 5-7, 10, 12-14, 19, 21, 23-24, 28-30, 32, 34, 35, and 40-43 stand rejected as anticipated by Trump. For the following reasons, Applicant respectfully requests that this rejection be withdrawn.

Claims 1 and 19 recite “two or more fluid treatment elements,” as well as “an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid.” Claim 29 recites “an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid.” Claims 40 and 41 recite “filtering and separating hydrocarbons from said water” and “filtering and separating hydrocarbons from said fluid.” Claims 42 and 43 have been cancelled. Applicant also respectfully disagrees with Examiner’s that Trump discloses or suggests a “cartridge,” it is noted that Trump depicts base member 23 as a “tray” (Trump, Col. 3, ll. 9-10).

Trump does not disclose or suggest two or more fluid treatment elements, let alone an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid or filtering and separating hydrocarbons from fluid or water. Because Trump fails to disclose or suggest the claimed apparatus including two or more fluid treatment elements, an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid or filtering and separating hydrocarbons from fluid or water, claims 1, 19, 29, 40, and 41 are allowable over Trump. Claims 3, 5-7, 10, 12-14, 21, 23-24, 28, 30, 32, 34, and 35 depend from claims 1, 19, and 29 and are allowable for at least these reasons. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1, 3, 5-7, 10, 12-14, 19, 21, 23-24, 28-30, 32, 34, 35, 40, and 41.

V. Claims 17, 27, 38 Are Allowable Over Macpherson

Claims 17, 27, 38 stand rejected as obvious in view of Macpherson in light of Walker, Pinto, Batt, or Trump. For the following reasons, Applicant respectfully requests that this rejection be withdrawn.

Claims 1 and 19 recite “two or more fluid treatment elements,” as well as “an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid.” Claim 29 recites “an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid.”

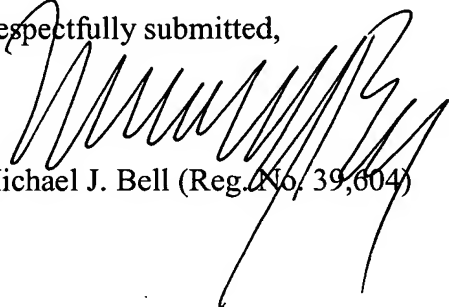
Neither Walker nor Pinto nor Batt nor Trump disclose or suggest two or more fluid treatment elements, let alone an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid or filtering and separating hydrocarbons from fluid or water. Because Walker, Pinto, Batt, and Trump fail to disclose or suggest the claimed apparatus including two or more fluid treatment elements, an enclosure surrounding an absorbent material capable of filtering hydrocarbons from said fluid or filtering and separating hydrocarbons from fluid or water, claims 1, 19, and 29 are allowable over Walker, Pinto, Batt, and Trump. Claims 17, 27, 38 depend from claims 1, 19, and 29 and are allowable for at least these reasons. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection of claims 17, 27, 38.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully request that the Examiner enter the above amendments and reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,


Michael J. Bell (Reg. No. 39,604)

Date: March 20, 2008

HOWREY LLP
2941 Fairview Park Drive, Box 7
Falls Church, VA 22042
(703) 663-3600